

IN THE MICHIGAN COURT OF APPEALS

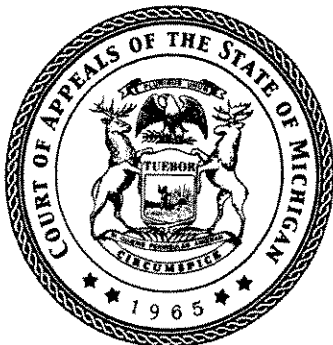
ORDER

Re: **People of MI v Henry Lee Hurt**
Docket No. **289496**
L.C. No. **79-028929 FY**

Henry William Saad, Chief Judge, acting under MCR 7.203(F)(1) and 7.216(A)(10),
orders:

The motion to waive fees is GRANTED for this case only.

The delayed application for leave to appeal is DISMISSED for lack of jurisdiction because the defendant cannot appeal the denial or rejection of a successive motion for relief from judgment. See MCR 6.502(G)(1). Defendant has not provided any newly discovered evidence involving his conviction. Therefore, MCR 6.502(G)(2) does not apply. Finally, defendant had a direct appeal and this Court issued an opinion on April 20, 1982, regarding the merits of his appeal. See No. 52997.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

JAN 22 2009

Date

Sandra Schultz Mengel
Chief Clerk